

**THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
(GREENBELT DIVISION)**

In re:

**ROCK CREEK BAPTIST CHURCH
OF THE DISTRICT OF COLUMBIA**

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**Case No. 19-16565-LSS
Chapter 11**

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Debtor.

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**DEBTOR'S MOTION FOR ORDER ENLARGING EXCLUSIVITY
PERIOD TO FILE PLAN OF REORGANIZATION AND OBTAIN
ACCEPTANCE PURSUANT TO 11 U.S.C. §1121(d)**

Rock Creek Baptist Church of the District of Columbia, Debtor and Debtor-in-Possession, by and through its attorneys, Janet M. Nesse and McNamee Hosea Jernigan Kim Greenan & Lynch, P.A, hereby requests that the exclusivity period in this case be enlarged pursuant to 11 U.S.C. §§105 and 1121(d) and Rules 9006 and 9014 of the Federal Rules of Bankruptcy Procedure and, for cause, states as follows:

Jurisdiction

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A), (M), (N) and (O).

Factual Background

3. Rock Creek Baptist Church of the District of Columbia (the "Debtor") commenced this case by filing a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code on May 14, 2019 (the "Petition Date").

4. Since the Petition Date, the Debtor has remained in possession of its properties and has continued to manage its business affairs as a Debtor-in-possession pursuant to 11 U.S.C. Sections 1107 and 1108.

5. Among other things, the Debtor owns real property known as 2505 Ritchie Marlboro Road, Upper Marlboro, Maryland 20772, consisting of approximately 78 acres+/- of land improved by a house and various structures. The Debtor also owns approximately 24 +/- acres of land improved by a Church and school buildings.

6. The real properties are worth substantially more than the Debtor's liabilities. The Debtor has received numerous expressions of interest in one or more of the Debtor's real properties, which the Debtor and its professionals are considering.

7. The Debtor is also exploring the possibility of developing the 78 +/- parcel of land and, contemporaneous with the filing of this Motion, has moved to retain Cober, Johnson & Romney as real estate consultant to the Debtor. Cober Johnson & Romney has extensive and specialized experience in all aspects of real estate development and asset management, and has experiencing represented non-profit clients like the Debtor.

8. By this Motion, the Debtor respectfully requests that the exclusivity period for the Debtor to file a plan and obtain acceptances be extended for a period of ninety (90) days.

Relief Requested

9. Pursuant to §1121(a) of the Bankruptcy Code, the exclusivity period for the Debtor to file a plan of reorganization expires on September 11, 2019.

10. Section 1121(d) provides, in relevant part, that "... on request of a party in interest made within the respective periods specified in subsections (b) and (c) of this section and after notice and a hearing, the court may for cause reduce or increase the 120-day period..."

11. Undersigned counsel just entered its appearance as counsel for the Debtor on August 15, 2019. Contemporaneous with the filing of this Motion, the Debtor has also moved to employ Cober, Johnson & Romney as real estate consultant to the Debtor.

12. Undersigned counsel and Cober Johnson are working with the Debtor to formulate a plan that will maximize the value of the Debtor's assets, from which the Debtor will propose a plan that may, *inter alia*, entail a sale or development of some of the Debtor's property.

13. The Debtor believes that an extension of the exclusivity period and the period of time in which to obtain acceptance for a period of ninety (90) days will be sufficient to allow the Debtor to work with its professionals and propose a plan of reorganization.

14. Based upon the foregoing, cause exists to extend the exclusivity period and period within which to obtain acceptances for a period of ninety (90) days. There have been no prior extensions of the exclusivity period or acceptance period.

15. Pursuant to Local Bankruptcy Rule 9013-2, the Debtor will not submit a memorandum of law in support of this Motion and will rely on the statements contained herein in obtaining the relief requested.

WHEREFORE, Rock Creek Baptist Church of the District of Columbia respectfully requests that this Honorable Court

A. ORDER that the exclusivity period and the period of time in which to obtain acceptance be extended for a period of ninety (90) days; and

B. ORDER such other and further relief as this action may require.

Respectfully submitted,

MCNAMEE HOSEA JERNIGAN KIM
GREENAN & LYNCH, P.A.

/s/ Janet M. Nesse

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Counsel to the Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of September, 2019, a copy of the foregoing Motion to Extend Exclusivity was, unless otherwise stated, mailed, by first class mail, postage prepaid to the following:

Sent by CM/ECF

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Sent by First Class Mail:

Other than those stated above, all creditors on the attached mailing matrix.

/s/ Janet M. Nesse
Janet M. Nesse